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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,148	01/18/2002	Hyeon Jun Kim	HI-0072	3855
34610	7590	02/14/2005	EXAMINER	
FLESHNER & KIM, LLP			TRAN, PHUOC	
P.O. BOX 221200			ART UNIT	
CHANTILLY, VA 20153			PAPER NUMBER	

2621

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Technology Center 2600

Office Action Summary	Application No. 10/050,148	Applicant(s) KIM, HYEON JUN	
	Examiner Phuoc Tran	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2621

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 13-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification fails to describe the spatial coherency (SC) in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It is noted that the spatial coherency is described in the specification from page 8, line 24 thru page 10, lines 6. Many variables are used to define the spatial coherency (SC). However, these variables are not described in such a way as to enable one skilled in the art to and/or use the invention. In particular, the variables COH_Ci, VISITED PELp, TOTAL_NUM_COHERENT, COLOR_OF_MASKED_PIXELk, TOTAL_NUM_COHERENT ++ are not clearly described. Please explain those variables. For example, on page 9, lines 8 of the specification, it is unclear as to what is meant by VISITED PELp = FALSE. On page 9, lines 19-23, the specification states “[f]or the whole pixels PELj in the region R ...the PELj is adjusted to the center of the CCM for the following operations”. Why VISITED_PELj is both FALSE and TRUE?

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2621

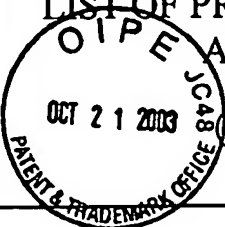
Qian et al and Huang et al are cited for disclosing the state of the art of color image processing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc Tran whose telephone number is (703) 305-4861. The examiner can normally be reached on MON-FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


PHUOC TRAN
PRIMARY EXAMINER

LIST OF PRIOR ART CITED BY APPLICANT 				ATTY. DOCKET NO. HI-0072		APPLN. SERIAL NO. 10/050,148	
				APPLICANT(S) Hyeon Jun KIM			
				CUSTOMER NO. 34610			
				FILING DATE January 18, 2002		GROUP 2182	
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	*PATENT NO.	*ISSUE DATE	*INVENTOR NAME	CLASS	SUBCLASS	FILING DATE	
U.S. PATENT APPLICATION PUBLICATIONS							
	*PATENT APPLN. PUB. NO.	*PUB. DATE	*APPLICANT	CLASS	SUBCLASS		
U.S. PATENT APPLICATIONS							
	*APPLN. NO.	*FILING DATE	*INVENTOR	CLASS	SUBCLASS		
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
<i>pt</i>	WO 00/46748	08-10-00	WIPO	—	—	X	
<i>pt</i>	WO 99/34319	07-08-99	WIPO	—	—	X	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)							
<i>pt</i>	K.C. Ravishankar et al. "Dominant Color Region Based Indexing for CBIR" IEEE 0-7695-0040-4/99, 9/27/99, PP. 887-892						
<i>pt</i>	K. Idrissi et al. "Multi-component Cross Entropy Segmentation for Color Image Retrieval" IEEE Cat. No. 01EX480, ISPA 2002, XP002252608, pp. 132-137						
<i>pt</i>	Jens-Rainer Ohm et al. "A set of visual feature descriptors and their combination in a low-level description scheme" Signal Processing Image Communication, Vol. 16, no. 1-2, September 2000, pp. 157-179						
<i>pt</i>	John R. Smith et al. "Local Color and Texture Extraction and Spatial Query" IEEE 0-7803-3258X/96, September 16-19, 1996, pp. 1011-1014						
<i>pt</i>	Yong Rui et al. "Image Retrieval: Current Techniques, Promising Directions, and Open Issues" Academic Press 1047-3203/99, March 1999, pp 39-62						
EXAMINER <i>phmoe Tran</i>				DATE CONSIDERED <i>1/24/05</i>			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Notice of References Cited	Application/Control No. 10/050,148		Applicant(s)/Patent Under Reexamination KIM, HYEON JUN	
	Examiner Phuoc Tran		Art Unit 2621	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,542,632	04-2003	Qian et al.	382/165
*	B	US-6,430,312	08-2002	Huang et al.	382/165
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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